

228

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Notic of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/927,005             | NAKANISHI ET AL.    |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Tai Duong              | 2871                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment 09/08/03.
2. ☒ The allowed claim(s) is/are 1 and 2.
3. ☒ The drawings filed on 09 August 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. <u>3</u> | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. James K. Folker on 09/30/03.

The application has been amended as follows:

In the claims

In claim 1, last line, before "insulating", -- first -- has been inserted.

**Examiner's Comment**

In view of the papers filed 09/08/03, the inventorship in this nonprovisional application has been changed by the deletion of Tetsuya Fujikawa and Hidetoshi Sukenori.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of the file jacket and PTO PALM data to reflect the inventorship as corrected.

### **Reasons for Allowance**

The following is an examiner's statement of reasons for allowance:

None of the prior art of record discloses or suggests a liquid crystal panel having the combination of the features: a) first and second electrodes, formed over the insulating substrate, for a display voltage to be applied therebetween, a first insulating layer covering said first and second electrodes; b) said first electrode is disposed higher than said second electrode in relation to a direction from said insulating substrate toward said second substrate; c) said first and second electrodes overlap each other with a second insulating layer being interposed therebetween at an overlapping portion; d) a thickness of said first insulating layer on said first electrode is substantially equal to said first insulating layer on said second electrode.

The JP 11-167126 cited by Applicant discloses a LC panel having the above features *a*, *b* and *c*, not the feature *d*.

The WO 96/00408 cited by Applicant discloses LC panels having the above features *a* and *b*, *a* and *c* or *a* and *d*, not the combination of features *a*, *b*, *c* and *d*; *a*, *b* and *c*; *b*, *c* and *d*; or *a*, *b* and *d*.

Yamakita et al disclose a LC panel having the above features *a* and *b*, not the features *c* and *d*.

The JP 8-220518 discloses a LC panel having the above features *a* and *b*, not the features *c* and *d*.

Application/Control Number: 09/927,005  
Art Unit: 2871

Page 5

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Tai Duong at telephone number 703 308-4873.



TVD

09/30/03



TOANTON  
PRIMARY EXAMINER